BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2001-209-C - ORDER NO. 2003-235

APRIL 15, 2003

IN RE: Application of BellSouth Telecommunications,)
Inc. to Provide In-Region InterLATA Services)

Pursuant to Section 271 of the

Telecommunications Act of 1996.

) ORDER GRANTING

) MOTION FOR PAPER

PROCEEDING

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Motion by BellSouth Telecommunications, Inc. (BellSouth) to cancel the hearing in this docket and render a decision on the basis of the paper record as it currently exists. Pursuant to Order No. 2002-77, the Commission required a six-month review of BellSouth's performance data and the Incentive Penalty Plan. Thereafter, the Commission ordered that the Tier One Penalty regarding the Change Control Process and the Commission Staff's proposed mediation process also be addressed during the six-month review hearing.

The six-month review hearing was scheduled for April 2, 2003. On March 25, 2003, BellSouth filed a Motion for the Commission to cancel the scheduled hearing in this docket and to render a decision on the basis of the paper record. The grounds for BellSouth's Motion are that on March 5, 2003, BellSouth pre-filed the direct testimony and exhibits of its witnesses in accordance with the Order Establishing Pre-Filing Deadlines that was entered in this docket. On March 19, 2003, the Commission Staff pre-filed the direct testimony and exhibits of its witnesses in accordance with the Order.

No other person or entity has pre-filed testimony or exhibits in this docket. BellSouth also stated that it would not be filing any rebuttal testimony or exhibits, which meant that no surrebuttal testimony or exhibits would be pre-filed.

BellSouth also recommended that the Commission allow the parties to submit briefs on the basis of the record as it currently exists, and render its decision on the basis of this record. Further, BellSouth also requested that any party that objected to this approach file a copy of such objection and serve it upon all parties of record as soon as possible.

We have reviewed BellSouth's Motion. The Commission finds that comprehensive pre-filed testimony and exhibits have been filed by the parties who chose to prefile testimony and exhibits. Further, adverse parties have not filed documentation in opposition to the paper proceeding. When motions for a paper proceeding are filed with the Commission, we review these requests on a case-by-case basis. Upon review of BellSouth's Motion, we find that no party has filed an objection to a paper proceeding in this docket. We therefore find that a paper proceeding in this docket is reasonable and we grant BellSouth's Motion. Parties who seek to file proposed briefs and/or orders regarding the six-month review must file these documents with the Commission on or before May 20, 2003.

This Order shall remain in full force and effect until further Order of the Commission.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

Mignon L. Clyburn, Chairman

ATTEST:

Gary E. Walsh, Executive Director

(SEAL)